

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There is one Extraordinary issue to the Official Gazette, Series I No. 14 dated 1-7-1993 as follows:

Extraordinary dated 2-7-1993 from pages 187 to 224 regarding Notification from Transport Department.

GOVERNMENT OF GOA

Department of Personnel

Notification

1/10/78-PER (Vol. II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for the posts, the Governor of Goa hereby makes the following rules relating to recruitment to the Group 'C' Non-Ministerial, Non-Gazetted posts in the Directorate of Social Welfare, Government of Goa, namely:—

1. Short title, application and commencement:—

(1) These rules may be called the Government of Goa, Directorate of Social Welfare, Group 'C' Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 1991.

(2) *Application:* These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. Number, classification and scales of pay:—

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications:— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. Disqualification:— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax:— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving:— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Personnel).
Panaji, 8th November, 1991.

SCHEDULE

Name/ Designation of post	Num- ber of posts	Classi- fication	Scale of Pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added year of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Method of recruitment whe- ther by direct recruitment or by promotion or by deputation/trans- fer/contract and if any percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/transfer, grades from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- position	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment	
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Matron (Female only)	3	Group 'C' Non- Minis- terial Non-Ga- zatted.	Rs. 1200- 30-1560- EB-40- 2040.	N. A.	Not exceed- ing 35 years (Relaxable for Govern- ment ser- vants in accordance with the instructions or orders issued by the Government).	N. A.	Essential: Degree from a recogni- sed University in Home Science or equivalent. Desirable: Knowledge of Konkani and/or Marathi.	N. A.	Two years ment.	By direct recruit- ment.	N. A.	Group 'C' D. P. C. (for consi- dering con- firmation).	N. A.

Law (Legal and Legislative Affairs) Department

Notification

10-2-92/LA

The Acquisition of Certain Area at Ayodhya Ordinance, 1993 (No. 8 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 7-1-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 17th February, 1993.

MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS

(Legislative Department)

New Delhi, 7th January, 1993/
/Pausa 17, 1914 (Saka)

THE ACQUISITION OF CERTAIN AREA AT AYODHYA ORDINANCE, 1993

No. 8 of 1993

Promulgated by the President in the Forty-third
Year of the Republic of India

*An Ordinance to provide for the acquisition of
certain area at Ayodhya and for matters connected
therewith or incidental thereto.*

Whereas there has been a long-standing dispute relating to the structure (including the premises of the inner and outer courtyards of such structure), commonly known as the Ram Janma Bhumi-Babri Masjid, situated in village Kot Ramchandra in Ayodhya, in Pargana Haveli Avadh, in tehsil Faizabad Sadar, in the district of Faizabad of the State of Uttar Pradesh;

And Whereas the said dispute has affected the maintenance of public order and harmony between different communities in the country;

And Whereas it is necessary to maintain public order and to promote communal harmony and the spirit of common brotherhood amongst the people of India;

And Whereas with a view to achieving the afore-said objectives, it is necessary to acquire certain areas in Ayodhya;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

Preliminary

1. *Short title and commencement.*—(1) This Ordinance may be called the Acquisition of Certain Area at Ayodhya Ordinance, 1993.

(2) It shall come into force at once.

2. *Definitions.* — In this Ordinance, unless the context otherwise requires, —

(a) "area" means the area (including all the buildings, structures or other properties comprised therein) specified in the Schedule;

(b) "authorised person" means a person or body of person or trustees of any trust authorised by the Central Government under section 7;

(c) "Claims Commissioner" means the Claims Commissioner appointed under sub-section (2) of section 8;

(d) "prescribed" means prescribed by rules made under this Ordinance.

CHAPTER II

Acquisition of the area in Ayodhya

3. *Acquisition of rights in respect of certain area.* — On and from the commencement of this Ordinance, the right, title and interest in relation to the area shall, by virtue of this Ordinance, stand transferred to, and vest in, the Central Government.

4. *General effect of vesting.* — (1) The area shall be deemed to include all assets, rights, leaseholds, powers, authority and privileges and all property, movable and immovable, including lands, buildings, structures, shops of whatever nature or other properties and all other rights and interests in, or arising out of, such properties as were immediately before the commencement of this Ordinance in the ownership, possession, power or control of any person or the State Government of Uttar Pradesh, as the case may be, and all registers, maps, plans, drawing and other documents of whatever nature relating thereto.

(2) All properties aforesaid which have vested in the Central Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them and any attachment, injunction, decree or order of any court or tribunal or other authority restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall cease to have any effect.

(3) If, on the commencement of this Ordinance, any suit, appeal or other proceeding in respect of the right, title and interest relating to any property which has vested in the Central Government under section 3, is pending before any court, tribunal or other authority, the same shall abate.

5. *Duty of person on State Government in charge of the management of the area to deliver all assets etc.* — (1) The Central Government may take all necessary steps to secure possession of the area which is vested in that Government under section 3.

(2) On the vesting of the area in the Central Government under section 3, the person or State Government of Uttar Pradesh, as the case may be, in charge of the management of the area immediately before such vesting shall be bound to deliver to the Central Government or the authorised person, all

assets, registers and other documents in their custody relating to such vesting or where it is not practicable to deliver such registers or documents, the copies of such registers or documents authenticated in the prescribed manner.

6. *Power of Central Government to direct vesting of the area in another authority or body or trust.* —

(1) Notwithstanding anything contained in sections 3, 4, 5 and 7, the Central Government may, if it is satisfied that any authority or other body, or trustees of any trust, set up on or after the commencement of this Ordinance is or are willing to comply with such terms and conditions as that Government may think fit to impose, direct by notification in the Official Gazette, that the right, title and interest or any of them in relation to the area or any part thereof, instead of continuing to vest in the Central Government, vest in that authority or body or trustees of that trust either on the date of the notification or on such later date as may be specified in the notification.

(2) When any right, title and interest in relation to the area or part thereof vest in the authority or body or trustees referred to in sub-section (1), such rights of the Central Government in relation to such area or part thereof, shall, on and from the date of such vesting, be deemed to have become the rights of that authority or body or trustees of that trust.

(3) The provisions of sections 4, 5, 7 and 11 shall, so far as may be, apply in relation to such authority or body or trustees as they apply in relation to the Central Government and for this purpose references therein to the "Central Government" shall be construed as references to such authority or body or trustees.

CHAPTER III

Management and Administration of Property

7. *Management of property by Government.* — (1) Notwithstanding anything contained in any contract or instrument or order of any court, tribunal or other authority to the contrary, on and from the commencement of this Ordinance, the property vested in the Central Government under section 3 shall be managed by the Central Government or by a person or body of persons or trustees of any trust authorised by that Government in this behalf.

(2) In managing the property vested in the Central Government under section 3, the Central Government or the authorised person shall ensure that the position existing before the commencement of this Ordinance in the area on which the structure (including the premises of the inner and outer courtyards of such structure), commonly known as the Ram Janma Bhumi-Babri Masjid, stood in village Kot Ramchandra in Ayodhya, in Pargana Haveli Avadh, in tehsil Faizabad Sadar, in the district of Faizabad of the State of Uttar Pradesh is maintained.

CHAPTER IV

Miscellaneous

8. *Payment of amount.* — (1) The owner of any land, building, structure or other property comprised in the area shall be given by the Central Government, for the transfer to and vesting in that Govern-

ment under section 3 of that land, building, structure or other property, in cash an amount equivalent to the market value of the land, building, structure or other property.

(2) The Central Government shall, for the purpose of deciding the claim of the owner or any person having a claim against the owner under sub-section (1), by notification in the Official Gazette, appoint a Claims Commissioner.

(3) The Claims Commissioner shall regulate his own procedure for receiving and deciding the claims.

(4) The owner or any person having a claim against the owner may make a claim to the Claims Commissioner within a period of ninety days from the date of commencement of this Ordinance:

Provided that if the Claims Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of ninety days, the Claims Commissioner may entertain the claim within a further period of ninety days and not thereafter.

9. *Ordinance to override all other enactments.* — The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any law other than this Ordinance or any decree or order of any court, tribunal or other authority.

10. *Penalties.* — Any person who is in charge of the management of the area and fails to deliver to the Central Government or the authorised person any asset, register or other document in his custody relating to such area or, as the case may be, authenticated copies of such register or document, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to ten thousand rupees, or with both.

11. *Protection of action taken in good faith.* — No suit, prosecution or other legal proceeding shall lie against the Central Government or the authorised person or any of the officers or other employees of that Government or the authorised person for anything which is in good faith done or intended to be done under this Ordinance.

12. *Power to make rules.* — (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Ordinance.

(2) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE

[See Section 2(a)]

Description of the Area

Sl. No.	Name of Village/Pargana/ Tehsil/ District/State	Plot No.	Area to be acquired			
			Bigha	Biswa	Biswansi	Kuch
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Village Kot Ramchandra, Pargana Haveli	143	0	9	0	
		144	0	7	0	
		145	0	8	0	
	Avadh, tehsil	146	1	6	7	
	Faizabad Sadar,	147	2	14	0	
	District Faizabad Uttar Pradesh.	(part)				
		Bounded by plot No. 146 on South, plot No. 143 on West and Road/plot No. 142 on North.				
		158	0	4	0	
		159	0	13	0	
		160	3	11	4	6
		161	0	18	0	
		162	1	8	7	
		163	1	2	0	
		169	1	7	0	
		170	0	8	0	
		171	1	7	0	
		172	2	7	0	
		173	0	18	0	
		174	0	3	0	
		175	0	6	0	
		176	1	2	0	
		177	0	16	0	
		178	0	10	0	
		179	0	14	0	
		180	0	14	5	
		181	0	13	10	
		182	0	7	5	
		183	0	7	5	
		184	0	6	0	
		185	0	7	5	
		186	0	6	10	
		187	0	7	0	
		188	0	18	15	
		189	0	14	0	
		190	0	4	0	
		191	4	6	14	
		192	0	7	0	
		193	0	12	0	
		194	4	19	0	
		195	0	5	0	
		196	0	5	0	
		197	0	5	0	
		198	0	3	0	
		199	0	12	0	
		200	2	0	0	
		204	0	3	0	
		(part)				
		Bounded by plot No. 222 on South, plot No. 205				

(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
		1243	0	2	0	tehsil Faizabad	4	1	9	15	
		1247	0	5	0	Sadar, District	5	0	0	10	
		(part)				Faizabad, Uttar	6	0	19	0	
		Bounded by				Pradesh.	7	0	2	15	
		plot No.					8	0	4	15	
		1248 on					9	0	10	10	
		North, plot					10	0	0	10	
		No. 1246 on					11	0	3	0	
		South and					12	0	14	5	
		plot No.					13	0	10	0	
		1291 on					14	0	0	10	
		East/Road.					15	0	15	15	
		1248	1	7	10		16	0	8	15	
		1249	0	0	13		17	0	3	15	
		1250	0	7	7		18	0	6	5	
		1251	0	8	0		19	0	7	5	
		1252	0	9	0		27	1	6	0	
		1253	0	12	10						
		1254	0	4	0			9	7	15	
		1255	0	2	0						
		1256	0	2	0						
		1257	0	2	10						
		1258	0	2	5						
		1259	0	1	10						
			27	00	11						

3. Village Jalwanpur, Pargana Havelli Avadh,

1	0	3	5
2	1	1	0
3	0	0	5

SHANKER DAYAL SHARMA,
President.

A. C. C. UNNI,
Additional Secretary to the Govt. of India.